

(abstract; claim 1).”

Applicants respectfully disagree with the Examiner as to the interpretation of what is disclosed in Sorin.

Firstly, the Examiner asserts that Sorin shows “an optical path between said input fiber and said output fiber (Fig. 1, Fig. 4).” Though the applicants understand that the Examiner is referring to the **two** dotted lines marked A and B in Fig. 1 of Sorin as “an optical path,” the applicants believe that this description is unreasonably broad, since the operation of the Sorin invention mandates use of a polarization splitter 40 such as a walk-off crystal, for the generation of **two distinct optical paths**. Each of these paths are treated separately by the so-called “step 44,” to ensure like polarization properties in each path before entering the filtering components which perform the gain equalization functions in the Sorin invention.

In contrast to what is shown in Sorin, amended claim 1 of the present application recites “an optical path between said input fiber and said output fiber,” which is truly a single path, indicated in the drawings by the plane wave 16 incident on the stepped substrate. Not only is there no need for more than a single optical path, but such a single path generates the output “obtained at optical infinity resulting from the interference of the components of the incident beam passing through the separate stepped and unstepped sections of the substrate” (paragraph [0052] of the published application). Such a free-space interference phenomenon can only be generated by free space beam propagation, unlike what is shown in the Sorin arrangement.

Secondly, the Examiner asserts that Sorin shows “a substrate ('14' + '15' in Fig. 1) comprising at least one step ('44' in Fig. 1).” The applicants respectfully submit that the Examiner's description of the **four** separate optical components used in the Sorin invention, namely:

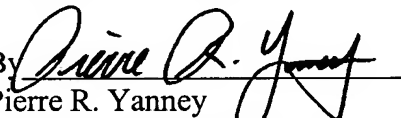
- (i) a half-wave plate 44;

CONCLUSION

The applicants respectfully submit that, in the light of all of the arguments mentioned above, all of claims 1-2, 4-15, and 17 to 27, as variously amended, are novel, unobvious over any combination of the prior art cited by the Examiner, and recite patentable material, and are therefore all deemed to be allowable. Reconsideration and prompt allowance of this application are therefore respectfully requested.

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Respectfully submitted,

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